

UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF NEW YORK  
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UNITED STATES OF AMERICA,

-against-

MEMORANDUM AND ORDER  
02-CR-1298 (DRH)

FRANCINE SWEET,

Defendant.

-----X  
A P P E A R A N C E S:

For the Government:

Roslynn R. Mauskopf  
United States Attorney  
Eastern District of New York  
One Pierrepont Plaza  
Brooklyn, New York 11201  
By: Geoffrey Kaiser, A.U.S.A.

For the Defendant:

Scott E. Leemon, P.C.  
260 Madison Avenue, 20<sup>th</sup> Floor  
New York, New York 10016

HURLEY, District Judge

The Court is in receipt of a pro se motion prepared by defendant, and forwarded to me by her attorney, in which she requests that the Court make certain recommendations, presumably to the Bureau of Prisons, "so that she may serve the remaining 6 months of her sentence on Home Confinement or other community release Halfway House programs that the Court may deem just and proper." Additionally, she has made the request that the Court recommend that she be "transfer[ed] to community confinement pursuant to 18 [U.S.C. §] 3624." Assuming, arguendo, that I have the authority to make the requested recommendations, I, in the exercise of my discretion, decline to do so.

I have also received a letter from her attorney dated May 10, 2006, which indicates that the Bureau of Prisons is deducting payments from her commissary account to be applied towards restitution as ordered in this Court's judgment of October 25, 2005. As requested, and absent objection from the government, the Court has filed a amended judgment to indicate that the 15% deduction provision will not go into effect until such time as she has completed her period of incarceration and is on supervised release.

SO ORDERED.

Dated: May 12, 2006  
Central Islip, New York

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DENIS R. HURLEY, U.S.D.J